

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FORD PERINE, )  
                    )  
Plaintiff,       )  
                    )  
v.                 )       No. 4:04CV1052 TIA  
                    )  
JO ANNE B. BARNHART,       )  
COMMISSIONER OF SOCIAL SECURITY,   )  
                    )  
Defendant.       )

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's Application for Attorney's Fees Under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The parties consented to the jurisdiction of undersigned pursuant to 28 U.S.C. § 636(c).

On August 10, 2005, the undersigned remanded Plaintiff's case to the Commissioner for further proceedings. Plaintiff now seeks attorney's fees in the amount of \$3,016.82, which represents 18.9 hours of attorney work at \$159.62 an hour. In EAJA actions, the district court has the authority to award reasonable and necessary expenses associated with adjudicating a claim for social security benefits. Kelly v. Bowen, 862 F.2d 1333 (8th Cir. 1988).

In the instant case, Defendant has filed a response stating that it has no objection to Plaintiff's request for an award of attorney's fees in the amount of \$3,016.82, payable to Gateway Legal Services, Inc. The undersigned thus finds that plaintiff is entitled to attorney's fees for the requested amount. An appropriate Judgment will accompany this Memorandum and Order.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Attorney's Fees [Doc. #22] is  
**GRANTED.**

/s/ Terry I. Adelman  
UNITED STATES MAGISTRATE JUDGE

Dated this 19<sup>th</sup> day of December, 2005.

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v.                 )       No. 4:04CV1052 TIA  
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JO ANNE B. BARNHART,       )  
COMMISSIONER OF SOCIAL SECURITY,   )  
                    )  
Defendant.       )

**JUDGMENT**

In accordance with the Memorandum and Order filed this day and incorporated herein,  
**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Plaintiff's Motion for  
Attorney's Fees [Doc. #22] is **GRANTED**, and that Plaintiff shall have judgment against Defendant  
for attorney's fees in the amount of Three Thousand Sixteen Dollars and Eighty-two Cents  
(\$3,016.82), payable to Gateway Legal Services, Inc.

/s/ Terry I. Adelman  
UNITED STATES MAGISTRATE JUDGE

Dated this 19th day of December, 2005.